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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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MICHAEL CHAN NCR CORPORATION 1700 SOUTH PATTERSON BLVD DAYTON, OH 45479-0001			NGUYEN, TRI V	
			ART UNIT	PAPER NUMBER
			3622	

DATE MAILED: 03/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/966,026

Applicant(s)

NIELSEN, PAUL

Examiner

Tri V. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on September 28, 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 01/09/2002.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION***Double Patenting***

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claim 22 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 13 and 14 of copending Application No. 10/101,581. Although the conflicting claims are not identical, they are not patentably distinct from each other because a data warehouse operable to receive data from a network is recited in both applications (an automated teller machine is treated as a self-service terminal).

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 2, 9, 16, 17, 22 and 29 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Each claim recites the limitation "and/or"; thus rendering

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each claim unclear. For examination purposes, each claim is being interpreted as "or." Claims 3-8, 10-15 and 18-21 are dependent claims of Claims 1, 9 and 16 respectively thus they inherit the same deficiencies as Claims 1, 9 and 16.

Regarding claims 1, 9, 16, 21, 22, and 26, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d). Claims 2-8, 10-15, 17-21, 23-26 are dependent claims of Claims 1, 9, 16, 21, 22, and 26 respectively thus they inherit the same deficiencies as Claims 1, 9, 16, 21, 22, and 26.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2, 4, 7-9, 11, 14-17, 19-22, 24-29 are rejected under 35 U.S.C. 102(e) as being anticipated by De Leo et al. (6,381,626).

Claim 1: De Leo et al. discloses a method of selecting advertisements for display on or adjacent to a plurality of self-service terminals comprising the steps of:

(a) collecting environment data related to the environment of each terminal (col 6, lines 42-65; col 7, line 23 to col 8, line 4 and col 8, lines 24-43);

(b) collecting transaction data related to the type and time of transactions carried out at the terminal (col 5, lines 43 to col 6, line 6); and

(c) storing the collected data in a data warehouse (col 6, lines 42-65; col 7, line 23 to col 8, line 4 and col 8, lines 24-43).

Claim 2: De Leo et al. discloses a method according to claim 1, further comprising the step of:

(d) collecting advertising data related to the type and content of one or more advertisement displayed on or adjacent to the terminal at particular times (col 7, line 23 to col 8, line 4 and col 8, lines 24-43).

Claim 4: De Leo et al. discloses a method according to claim 1, wherein the data is collected and stored in real time or near real time (col 5, line 43 to col 6, line 6; col 7, line 23 to col 8, line 4 and col 8, lines 24-43).

Claim 7: De Leo et al. discloses a method according to claim 2, further comprising the steps of

(e) querying the data warehouse to determine which terminals are located on sites at which a selected business activity is carried out (col 6, lines 7 - 22; col 6, lines 42- 65 and col 8, lines 24 - 43); and

(f) selecting an advertisement for display which includes content related to that business activity (col 5, lines 19 – 42).

Claim 8: De Leo et al. discloses a method according to claim 2, further comprising the steps of:

(e) querying the data warehouse to calculate a statistical distribution of the frequency of different transactions occurring at a terminal (col 5, lines 19-60 and col 6, lines 7 - 22); and

(f) selecting an advertisement for display at the terminal dependent on the statistical distribution (col 5, lines 19-60 and col 6, lines 7 - 22).

Claim 9: De Leo et al. discloses a method of selecting advertisements for display on or adjacent to a plurality of self-service terminals comprising the steps of:

(a) collecting environment data related to the environment of each terminal (col 6, lines 42-65; col 7, line 23 to col 8, line 4 and col 8, lines 24-43);

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(b) collecting advertising data related to the type and content of one or more advertisement displayed on or adjacent to the terminal at particular times(col 5, line 43 to col 6, line 6; col 6, lines 42-65; col 7, line 23 to col 8, line 4 and col 8, lines 24-43); and
(c) storing the collected data in a data warehouse (col 6, lines 42-65; col 7, line 23 to col 8, line 4 and col 8, lines 24-43).

Claim 11: De Leo et al. discloses a method according to claim 9, wherein the data is collected and stored in real time or near real time (col 5, line 43 to col 6, line 6; col 7, line 23 to col 8, line 4 and col 8, lines 24-43).

Claim 14: De Leo et al. discloses a method according to claim 9, further comprising the steps of

(d) querying the data warehouse to determine which terminals are located on sites at which a selected business activity is carried out (col 6, lines 7 - 22; col 6, lines 42- 65 and col 8, lines 24 - 43); and

(e) selecting an advertisement for display which includes content related to that business activity (col 5, lines 19 – 42).

Claim 15: De Leo et al. discloses a method according to claim 9, further comprising the steps of:

(d) querying the data warehouse to calculate a statistical distribution of the frequency of different transactions occurring at a terminal (col 5, lines 19-60); and

(e) selecting an advertisement for display at the terminal dependent on the statistical distribution (col 5, lines 19-60 and col 6, lines 7 - 22).

Claim 16: De Leo et al. discloses a data warehouse operable to receive data from a network of self-service terminals comprising:

(a) means for holding environment data related to the environment of each terminal (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43);

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(b) means for holding transaction data related to the type and time of transactions carried out at the terminal (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43); and

(c) the data warehouse being operable to provide information in real time or near real time for selecting advertisements for display on or adjacent to one or more of the plurality of self-service terminals (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43).

Claim 17: De Leo et al. discloses a data warehouse according to claim 16, further comprising means for holding advertising data related to the type and content of one or more advertisement displayed on or adjacent to the terminal at particular times (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43).

Claim 19: De Leo et al. discloses a data warehouse according to claim 16, further comprising means for determining which terminals are located on or within a predetermined distance of sites at which a selected business activity is carried out (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 7 - 22; col 6, lines 42 - 65; col 7, line 23 to col 8, line 4 and col 8, lines 24-43).

Claim 20: De Leo et al. discloses a data warehouse according to claim 17, further comprising means for calculating a statistical distribution of the frequency of different transactions occurring at a terminal and selecting an advertisement for display at the terminal dependent on the statistical distribution (col 5, lines 19-60 and col 6, lines 7 - 22).

Claim 21: De Leo et al. discloses a data warehouse according to claim 16, further comprising means for determining which transactions occur at one or more terminal within a predetermined time period of an event (col 5, lines 20-43).

Claim 22: De Leo et al. discloses a data warehouse operable to receive data from a network of self-service terminals comprising:

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(a) means for holding environment data related to the environment of each terminal (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43);

(b) means for holding advertising data related to the type and content of one or more advertisement displayed on or adjacent to the terminal at particular times (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43); and

(c) the data warehouse being operable to provide information in real time or near real time for selecting advertisements for display on or adjacent to one or more of the plurality of self-service terminals (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43).

Claim 24: De Leo et al. discloses a data warehouse according to claim 22, further comprising means for determining which terminals are located on or within a predetermined distance of sites at which a selected business activity is carried out (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43).

Claim 25: De Leo et al. discloses a data warehouse according to claim 22, further comprising means for calculating a statistical distribution of the frequency of different transactions occurring at a terminal and selecting an advertisement for display at the terminal dependent on the statistical distribution (col 5, lines 19-60 and col 6, lines 7 - 22).

Claim 26: De Leo et al. discloses a data warehouse according to claim 22, further comprising means for determining which transactions occur at one or more terminal within a predetermined time period of an event (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43).

Claim 27: De Leo et al. discloses a self-service terminal comprising:

(a) display means for displaying advertising material (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43);

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(b) network connection means for coupling the terminal to a self-service network (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43);

(c) means for receiving commands from the network which determine what advertising content is to be displayed on the display means and at what time (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43); and

(d) means for sending information to the network which identifies which transactions are occurring at the terminal and at what time they occur (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43).

Claim 28: De Leo et al. discloses a self-service terminal according to claim 27, further comprising means for sending information to the network which explicitly identifies what advertising material was displayed on the display means during a transaction at the terminal (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43).

Claim 29: De Leo et al. discloses a method of analyzing a self-service network comprising the steps of:

(a) holding in a database data related to transactions performed by a terminal in the network and advertising content displayed on or adjacent the terminal substantially at the time of the transaction (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43);

(b) gathering terminal data from terminals in the network which is related to transactions performed by each terminal in the network and respective advertising content displayed on or adjacent each terminal (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43);

(c) entering the terminal data into the database (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43); and

(d) analyzing the terminal network by querying the data in the database (col 3, lines 22-50; col 5, line 43 to col 6, line 6, col 6, lines 23 - 41; col 7, line 23 to col 8, line 4 and col 8, lines 24-43).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3, 5, 6, 10, 12, 13, 18 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over De Leo et al. in view of Calvey ("For banks, ATM advertising could be right on the money" in San Francisco Business Times).

Claim 3: De Leo et al. discloses a method according to claim 1, but does not explicitly recites wherein the plurality of terminals are distributed across more than one deployer network. In an analogous art, Calvey teaches that it is known to use more than one deployer network as set forth in page 1, § 3 and 4 to reach a greater number of users. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method as taught by De Leo et al., with the distribution across more than one deployer network as taught by Calvey. One would have been motivated to modify the method of De Leo et al. to reach a greater audience of users that frequent different deployer network.

Claim 5: De Leo et al. discloses a method according to claim 2, but does not explicitly recites further comprising the step of:

(e) querying the data warehouse to determine the relationship between the effectiveness of an advertisement and the terminal on or adjacent which it is displayed. In an analogous art, Calvey teaches that it is known to determine the relationship between the effectiveness of an advertisement and the terminal on or adjacent which it is displayed as set forth in page 2, § 8 and 9 to better estimate the efficiency of the advertisement shown. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method as taught by De Leo et al., with the determination of the relationship between the effectiveness of an advertisement and

the terminal on or adjacent which it is displayed as taught by Calvey. One would have been motivated to modify the method of De Leo et al. to better estimate the efficiency of the advertisement shown thus allowing for improvements in the marketing scheme and maximizing profitability.

Claim 6: De Leo et al. discloses a method according to claim 5, but does not explicitly recites wherein the effectiveness of an advertisement is measured by determining how often the display of an advertisement on or adjacent a terminal is substantially coincident with a transaction which is related to the advertising content, being initiated by a user at that terminal. De Leo et al. teaches the variables of the frequency of the display of an advertisement, the content of the advertisement and the timing during the day (col 5, lines 19 – 43). In an analogous art, Calvey teaches that it is known to determine the effectiveness of displaying advertising material as set forth in page 1, § 8 and 9 to better estimate the efficiency of the advertisement shown. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method as taught by De Leo et al., with measuring the effectiveness of displaying advertisements as taught by Calvey. One would have been motivated to modify the method of De Leo et al. to better estimate the efficiency of the advertisement shown thus allowing for improvements in the marketing scheme and maximizing profitability.

Claim 10: De Leo et al. discloses a method according to claim 9, but does not explicitly recites wherein the plurality of terminals are distributed across more than one deployer network. In an analogous art, Calvey teaches that it is known to use more than one deployer network as set forth in page 1, § 3 and 4 to reach a greater number of users. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method as taught by De Leo et al., with the distribution across more than one deployer network as taught by Calvey. One would have been motivated to modify the method of De Leo et al. to reach a greater audience of users that frequent different deployer network.

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Claim 12: De Leo et al. discloses a method according to claim 9, but does not explicitly recites further comprising the step of:

(d) querying the data warehouse to determine the relationship between the effectiveness of an advertisement and the terminal on or adjacent which it is displayed. In an analogous art, Calvey teaches that it is known to determine the relationship between the effectiveness of an advertisement and the terminal on or adjacent which it is displayed as set forth in page 2, § 8 and 9 to better estimate the efficiency of the advertisement shown. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method as taught by De Leo et al., with the determination of the relationship between the effectiveness of an advertisement and the terminal on or adjacent which it is displayed as taught by Calvey. One would have been motivated to modify the method of De Leo et al. to better estimate the efficiency of the advertisement shown thus allowing for improvements in the marketing scheme and maximizing profitability.

Claim 13: De Leo et al. discloses a method according to claim 12, but does not explicitly recites wherein the effectiveness of an advertisement is measured by determining how often the display of an advertisement on or adjacent a terminal is substantially coincident with a transaction which is related to the advertising content, being initiated by a user at that terminal. De Leo et al. teaches the variables of the frequency of the display of an advertisement, the content of the advertisement and the timing during the day (col 5, lines 19 – 43). In an analogous art, Calvey teaches that it is known to determine the effectiveness of displaying advertising material as set forth in page 1, § 8 and 9 to better estimate the efficiency of the advertisement shown. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method as taught by De Leo et al., with measuring the effectiveness of displaying advertisements as taught by Calvey. One would have been motivated to modify the method of De Leo et al. to better estimate the efficiency of the advertisement shown thus allowing for improvements in the marketing scheme and maximizing profitability.

Claim 18: De Leo et al. discloses a data warehouse according to claim 17, but does not

explicitly recites further comprising means for determining how often the display of an advertisement on or adjacent a terminal is substantially coincident with a transaction which is related to the advertising content, being initiated by a user at that terminal. De Leo et al. teaches the variables of the frequency of the display of an advertisement, the content of the advertisement and the timing during the day (col 5, lines 19 – 43). In an analogous art, Calvey teaches that it is known to determine the effectiveness of displaying advertising material as set forth in page 1, § 8 and 9 to better estimate the efficiency of the advertisement shown. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method as taught by De Leo et al., with measuring the effectiveness of displaying advertisements as taught by Calvey. One would have been motivated to modify the method of De Leo et al. to better estimate the efficiency of the advertisement shown thus allowing for improvements in the marketing scheme and maximizing profitability.

Claim 23: De Leo et al. discloses a data warehouse according to claim 22, but does not explicitly recites further comprising means for determining how often the display of an advertisement on or adjacent a terminal is substantially coincident with a transaction which is related to the advertising content, being initiated by a user at that terminal. De Leo et al. teaches the variables of the frequency of the display of an advertisement, the content of the advertisement and the timing during the day (col 5, lines 19 – 43). In an analogous art, Calvey teaches that it is known to determine the effectiveness of displaying advertising material as set forth in page 1, § 8 and 9 to better estimate the efficiency of the advertisement shown. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method as taught by De Leo et al., with measuring the effectiveness of displaying advertisements as taught by Calvey. One would have been motivated to modify the method of De Leo et al. to better estimate the efficiency of the advertisement shown thus allowing for improvements in the marketing scheme and maximizing profitability.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. DiFranza et al. (6,073,727) discloses an information distribution system for displaying messages in "real time" targeted to the users.

b. Herz et al. (6,571,279) discloses a location enhanced information delivery system.

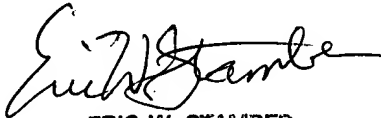
c. Drummond (6,970,846) discloses an automated banking machine configuration method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri V. Nguyen whose telephone number is (571) 272-6965. The examiner can normally be reached on M-F 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

nvt


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